

REFERENCE TITLE: **theft; resale intent; emergency exit**

State of Arizona  
Senate  
Forty-seventh Legislature  
Second Regular Session  
2006

# **SB 1340**

Introduced by  
Senator Huppenthal

AN ACT

AMENDING TITLE 13, CHAPTER 18, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 13-1819 AND 13-1820; RELATING TO THEFT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2       Section 1. Title 13, chapter 18, Arizona Revised Statutes, is amended  
3 by adding sections 13-1819 and 13-1820, to read:

4       13-1819. Theft with intent to resell or distribute; sale of  
5       stolen property; classification

6       A. IT IS UNLAWFUL FOR A PERSON TO:

7           1. COMMIT THEFT OF PROPERTY WITH THE INTENT TO RESELL OR DISTRIBUTE  
8 THE PROPERTY.

9           2. SELL, ATTEMPT TO SELL OR POSSESS WITH THE INTENT TO RESELL OR  
10 DISTRIBUTE ANY STOLEN PROPERTY WITH AN AGGREGATE VALUE OF TWO HUNDRED FIFTY  
11 DOLLARS OR MORE AND THE PERSON KNEW OR SHOULD HAVE KNOWN THAT THE PROPERTY  
12 WAS STOLEN.

13       B. FOR THE PURPOSES OF THIS SECTION, IT IS PRIMA FACIE EVIDENCE THAT  
14 THE THEFT WAS COMMITTED FOR THE PURPOSE OF RESELLING THE ITEMS OR REENTERING  
15 THE ITEMS INTO COMMERCE IF THE THEFT CONSISTS OF RETAIL MERCHANDISE IN  
16 QUANTITIES THAT WOULD NOT NORMALLY BE PURCHASED FOR PERSONAL USE OR  
17 CONSUMPTION.

18       C. A VIOLATION OF THIS SECTION IS A:

19           1. CLASS 1 FELONY IF THE PROPERTY HAS A VALUE OF TWENTY-FIVE THOUSAND  
20 DOLLARS OR MORE.

21           2. CLASS 2 FELONY IF THE PROPERTY HAS A VALUE OF THREE THOUSAND  
22 DOLLARS OR MORE BUT LESS THAN TWENTY-FIVE THOUSAND DOLLARS.

23           3. CLASS 3 FELONY IF THE PROPERTY HAS A VALUE OF TWO THOUSAND DOLLARS  
24 OR MORE BUT LESS THAN THREE THOUSAND DOLLARS.

25           4. CLASS 4 FELONY IF THE PROPERTY HAS A VALUE OF ONE THOUSAND DOLLARS  
26 OR MORE BUT LESS THAN TWO THOUSAND DOLLARS.

27           5. CLASS 5 FELONY IF THE PROPERTY HAS A VALUE OF TWO HUNDRED FIFTY  
28 DOLLARS OR MORE BUT LESS THAN ONE THOUSAND DOLLARS.

29           6. CLASS 6 FELONY IF THE PROPERTY IS VALUED AT LESS THAN TWO HUNDRED  
30 FIFTY DOLLARS, UNLESS THE PROPERTY IS TAKEN FROM THE PERSON OF ANOTHER, IS A  
31 FIREARM OR IS A DOG TAKEN FOR THE PURPOSE OF DOG FIGHTING IN VIOLATION OF  
32 SECTION 13-2910.01, IN WHICH CASE THE THEFT IS A CLASS 5 FELONY.

33       13-1820. Theft by means of emergency exit; classification

34       A PERSON WHO COMMITS THEFT AND WHO LEAVES A STORE BY USE OF A  
35 DESIGNATED EMERGENCY EXIT IS GUILTY OF A:

36           1. CLASS 1 FELONY IF THE PROPERTY HAS A VALUE OF TWENTY-FIVE THOUSAND  
37 DOLLARS OR MORE.

38           2. CLASS 2 FELONY IF THE PROPERTY HAS A VALUE OF THREE THOUSAND  
39 DOLLARS OR MORE BUT LESS THAN TWENTY-FIVE THOUSAND DOLLARS.

40           3. CLASS 3 FELONY IF THE PROPERTY HAS A VALUE OF TWO THOUSAND DOLLARS  
41 OR MORE BUT LESS THAN THREE THOUSAND DOLLARS.

1       4. CLASS 4 FELONY IF THE PROPERTY HAS A VALUE OF ONE THOUSAND DOLLARS  
2 OR MORE BUT LESS THAN TWO THOUSAND DOLLARS.

3       5. CLASS 5 FELONY IF THE PROPERTY HAS A VALUE OF TWO HUNDRED FIFTY  
4 DOLLARS OR MORE BUT LESS THAN ONE THOUSAND DOLLARS.

5       6. CLASS 6 FELONY IF THE PROPERTY IS VALUED AT LESS THAN TWO HUNDRED  
6 FIFTY DOLLARS, UNLESS THE PROPERTY IS TAKEN FROM THE PERSON OF ANOTHER, IS A  
7 FIREARM OR IS A DOG TAKEN FOR THE PURPOSE OF DOG FIGHTING IN VIOLATION OF  
8 SECTION 13-2910.01, IN WHICH CASE THE THEFT IS A CLASS 5 FELONY.